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16 **UNITED STATES DISTRICT COURT**  
17 **NORTHERN DISTRICT OF CALIFORNIA**  
18 **SAN FRANCISCO DIVISION**  
19

20 IN RE: UBER TECHNOLOGIES, INC.,  
21 PASSENGER SEXUAL ASSAULT  
22 LITIGATION

Case No. 3:23-md-03084-CRB

23 **STIPULATION AND [PROPOSED] ORDER**  
**REGARDING EXTENDED BRIEFING**  
**SCHEDULE FOR TERMS OF USE MOTION**

24 This Document Relates to:

Judge: Hon. Charles R. Breyer  
Courtroom: 6 – 17th Floor

ALL ACTIONS

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## **STIPULATION**

**WHEREAS**, on December 28, 2023, the Court issued an order regarding discovery and initial motions. Pretrial Order No. 5, ECF 175;

WHEREAS, the Court ordered Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (collectively “Uber”) to “file any pretrial motion raising arguments about its Terms of Use Agreement(s) and their effect on Plaintiffs’ ability to bring their claims in a coordinated or consolidated proceeding (the ‘Terms of Use Motion’)” by February 9, 2024. Id. at 5. The Court further ordered Plaintiffs to file their oppositions to any such motion by February 23, 2024, and Uber to file any replies in support of such motion by March 1, 2024. Id.;

**WHEREAS**, on February 6, 2024, the parties filed a joint stipulation for an extended briefing schedule and an additional 15 pages for Uber's Terms of Use Motion, with an opening brief (not to exceed 30 pages) due on February 9, 2024, an opposition brief (not to exceed 30 pages) due on March 8, 2024, and a reply brief due on March 22, 2024. ECF 250 at 3–4;

WHEREAS, on February 7, 2024, the Court ordered that Uber shall be granted an additional 15 pages for its Terms of Use Motion (for a total of 30 pages), due February 9, 2024; Plaintiffs shall be granted an additional 15 pages for their Opposition brief (for a total of 30 pages), due March 8, 2024; and Uber's Reply shall be due March 22, 2024. ECF 252 at 7. The Court further ordered that a "hearing on the Motion shall be set for a date and time deemed suitable by the Court." Id.;

**WHEREAS**, Uber filed its Terms of Use Motion on February 9, 2024. ECF 257;

**WHEREAS**, the parties agree that a further extended briefing schedule will facilitate the efficient resolution of the issues raised in Uber's Terms of Use Motion and thereby conserve judicial resources;

**WHEREAS**, in view of the above, the parties agree to extend the deadline for Plaintiffs' Opposition brief to March 12, 2024, and to extend the deadline for Uber's Reply to April 2, 2024; and

**WHEREAS**, this change will not alter the date of any other event or deadline already fixed by Court order.

1 **THEREFORE**, the parties respectfully request the Court enter the parties' stipulation that:  
2 1. Plaintiffs' Opposition to the Terms of Use Motion shall be due March 12, 2024; and  
3 2. Uber's Reply in support of the Terms of Use Motion shall be due April 2, 2024.  
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5 **IT IS SO STIPULATED.**

6  
7 Dated: March 7, 2024

**PAUL, WEISS, RIFKIND, WHARTON &  
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8 By: /s/ Randall S. Luskey  
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19 Dated: March 7, 2024

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*Co-Lead Counsel for Plaintiffs*

## **FILER'S ATTESTATION**

I, Randall S. Luskey, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

Dated: March 7, 2024

By: /s/ Randall S. Luskey  
Randall S. Luskey

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,  
PASSENGER SEXUAL ASSAULT  
LITIGATION

Case No. 3:23-md-03084-CRB

This Document Relates to:  
ALL ACTIONS

**[PROPOSED] ORDER GRANTING  
STIPULATION REGARDING EXTENDED  
BRIEFING SCHEDULE FOR TERMS OF USE  
MOTION**

The Court hereby GRANTS the parties' stipulation as follows:

1. Plaintiffs' Opposition to the Terms of Use Motion shall be due March 12, 2024; and
2. Defendants' Reply in support of the Terms of Use Motion shall be due April 2, 2024.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Date: March 7, 2024



HON. CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE